

WSJ 4154

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UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEW JERSEY

IN RE:

CHAPTER 11

ELOISE B. FOUNTAIN

CASE NO. 09-13654

ELOISE B. FOUNTAIN

Plaintiff

vs.

Trump Plaza, Trump Entertainment
Resorts, Otis Elevator Company,
United Technologies Company,
John Doe Corporation, John A. Doe
and John Doe, LLC

Defendants

COMPLAINT FOR PERSONAL INJURY

Plaintiff, ELOISE B. FOUNTAIN, residing in the Town of Denton,
County of Caroline, State of Maryland, Country, USA, by way of
Complaint against the Defendants says:

FIRST COUNT

1. On or about July 12, 2007, the Plaintiff, ELOISE B. FOUNTAIN, was an invitee of Trump Plaza in the City of Atlantic City, County of Atlantic County and State of New Jersey. The Plaintiff was staying in the resort as a hotel guest and casino participant.

2. At the aforementioned time and place, the Defendants, Trump Plaza, Trump Entertainment Resorts, Otis Elevator Company, United Technologies Company, John Doe Corporation, John A. Doe and John Doe, LLC, were the owners, operators of the Trump Plaza Resort and the long escalator which leads from the lobby to the casino floor.

3. At said time and place, the Defendants operated this escalator in a negligent and careless manner and failed to maintain said escalator with warnings, noticeable emergency stop buttons, and failed to assist the Plaintiff who attempted to use the escalator from the lobby area.

4. By reasons of the aforesaid, the Plaintiff alleges that the Defendant's were careless and negligent, in their ownership, operation and maintenance of the escalator and the approximate cause of her fall and injuries. The escalator caused the Plaintiff to fall and her foot to get stuck in said escalator grooves. The Plaintiff fell backwards and rode the escalator with her feet in front of her sitting and laying on a lower step of the escalator.

Said fall caused her knee to wrench and hurt her neck and back.

5. As a result thereof, Plaintiff was severely and permanently injured, suffered and still suffers, and will, in the future, suffer great pain and anguish, was confined for a period of time and will so be confined in the future, became, still is and will, in the future be incapacitated from continuing her usual course of conduct and/or employment, was obliged to incur large expenses in the care and treatment of the aforesaid injuries and was otherwise injured, damaged and restricted in her bodily movements.

6. Joe Doe Corporation, John A. Doe and John Doe, LLC are fictitious names for an individual, entity, corporation, LLC, general partnership, partnership, male or female who owned or operated or maintained the escalator whose proper name may or may not have been exactly set forth in this pleading or may or may not be known as of this date.

7. Demand was made upon Defendants for damages and a claim was opened up from Otis Elevator, Claim No. UTX 00035141 and a claim was opened up against Trump Plaza, filed under 07-3341. On or about July 2, 2009, the Defendant, Trump Plaza advised the Plaintiff's attorney that the Defendant filed Chapter 11 Bankruptcy.

WHEREFORE, the Plaintiff, ELOISE B. FOUNTAIN, demands judgment against the Defendants, Trump Plaza, Trump Entertainment Resorts,

Otis Elevator Company, United Technologies Company, John Doe Corporation, John A. Doe and John Doe, LLC.

DATE:

7-8-09

BY:

WARREN S. JONES, JR.
ATTORNEY FOR PLAINTIFF

DESIGNATION OF TRIAL COUNSEL PURSUANT TO R.4:25-4

Please be advised that attorney, WARREN S. JONES, JR., is hereby designated trial counsel in the above captioned matter on behalf of the Plaintiff.

JURY DEMAND

the Plaintiff demands a trial by jury as to all issues contained herein.

DATE:

7-8-09

BY:

WARREN S. JONES, JR.
ATTORNEY FOR PLAINTIFF

CERTIFICATION PURSUANT TO R.4:5-1

I certify that the matter in controversy is not the subject of any other action pending in any court and is not the subject of a pending arbitration proceeding. Further that there are no other parties who should be joined in this litigation of whom I am aware, other than those named herein.

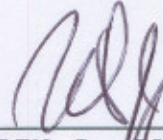
I certify that the foregoing statements made by me are true.

I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATE:

7-8-9

BY:


A handwritten signature in dark ink, appearing to read 'W.S. Jones, Jr.', written over a horizontal line.

WARREN S. JONES, JR.
ATTORNEY FOR PLAINTIFF